REMARKS

The Decision on Appeal dated August 14, 2008 has been received and carefully noted. The above amendments to the claims, the following remarks, and the enclosed Request for Continued Examination (RCE), are submitted as a full and complete response thereto.

Claims 1, 6-8, 14, 17, 24, 28, 34, and 36 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added. Claim 30 has been canceled without prejudice or disclaimer. Claims 1, 2, 4-29, and 31-38 are currently pending in the application and are respectfully submitted for consideration.

The final Office Action dated June 9, 2006 rejected claims 1, 2, 4-12, 14, and 16-38 under 35 U.S.C. §102(b) as being anticipated by Beuk (U.S. Patent No. 5,774,673). Applicants respectfully submit that the pending claims recite subject matter that is not disclosed or suggested by Beuk for at least the reasons discussed below.

Claim 1, upon which claims 2-13 and 33-34 are dependent, recites a method for controlling data flow across a link. The method includes the steps of transmitting a packet request message from a first station to a second station, determining if the packet request message is valid, transmitting a request acknowledge message from the second station to the first station, and determining if the request acknowledge message is valid. The transmitting a packet request message further includes generating the packet request message, which includes generating a request non-payload bit string corresponding to a

pre-programmed packet request register. The packet request message and the request acknowledge message each include a control bit string, an identification bit string, and at least one parity bit. The control bit string identifies whether a frame is a control frame or a data frame. The identification bit string correlates the packet request message with a corresponding request acknowledge message.

Claim 14, upon which claims 15-27 and 35-36 are dependent, recites a data flow control method for controlling data transmitted across a high speed link. The method includes the step of transmitting a packet request message from a first station to a second station, said packet request message having a first identification number, a first control code group, and a first parity parameter associated therewith. The method further includes the step of storing the first identification number associated with the packet request message. The method also includes the step of transmitting a request acknowledge message from said second station to said first station, said request acknowledge message having a second identification number, a second control group, and a second parity parameter associated therewith. The method further includes the steps of determining if the first and second control groups are valid, determining if the second identification number matches the first identification number, and determining if the first and second parity parameters are valid. The transmitting of a packet request message further comprises generating the packet request message, the generating the packet request message comprising generating a request non-payload bit string corresponding to a pre-programmed packet request register. The first control group and

the second control group are configured to identify whether a frame is a control frame or a data frame. The first identification number and second identification number are configured to correlate the packet request message with a corresponding request acknowledge message.

Claim 28, upon which claims 29-32 and 37-38 are dependent, recites an apparatus for controlling data flow across a link. The apparatus includes a first transmitting unit for transmitting a packet request message from a first station to a second station, said packet request message including a first identification number, a first control code group, and a first parity parameter associated therewith. The apparatus also includes a storage unit for storing the first identification number associated with the packet request message, and a second transmitting unit for transmitting a request acknowledge message from said second station to said first station, said request acknowledge message having second identification number, a second control group, and a second parity parameter associated therewith. The apparatus further includes at least one flow logic unit for determining if the first and second control groups are valid, determining if the second identification number matches the first identification number, and determining if the first and second parity parameters are valid. The transmitting of a packet request message further comprises generating the packet request message, the generating the packet request message comprising generating a request non-payload bit string corresponding to a pre-programmed packet request register. The first control group and the second control group are configured to identify whether a frame is a control frame or a data frame. The

first identification number and second identification number are configured to correlate the packet request message with a corresponding request acknowledge message.

The cited prior art reference of Beuk fails to disclose or suggest the elements of the claims, and therefore fails to provide the features discussed above.

Beuk discloses a system for communicating between a dynamic group of apparatuses. The system allows an apparatus to establish communication between a local application and applications in other apparatuses. An active activation unit invites applications in other apparatuses to join by using a message sending unit to transmit a broadcast frame to all apparatuses which requests activation of the selected application. The broadcast frame specifies which application is being activated. The active activation unit then determines a communication channel which corresponds to the application and the selected application, which is stored in storage, is executed by an execution unit. The broadcast frame is received by a message receiving unit in other apparatuses. A passive activation unit verifies whether the receiving apparatus has an application, which corresponds to the specified application and whether such an application needs to be activated (Col. 1, line 57 – Col. 3, line 25).

As noted in the Decision from Appeal, the Board concluded that Beuk does not disclose or suggest "generating a request non-payload bit string corresponding to a pre-programmed packet request register," as recited in claims 1, 14, and 28 (see Decision, pages 6-8). As outlined in Applicant's Appeal Brief dated December 13, 2006, Beuk discloses that various frames (acknowledgement frame, broadcast frame, group frame)

include a TYPE field. Applicants incorporate by reference all of the arguments outlined in the Appeal Brief of December 13, 2006. In particular, Applicants note that Beuk teaches that the "TYPE field comprises an A/M field and an B/G field. The A/M field is used to distinguish between an acknowledgment frame and a message frame. The B/G field is used to distinguish between the two types of message frames: a broadcast frame and a group frame" (Beuk, Column 12, lines 36-42). Beuk does not disclose or suggest that the TYPE field corresponds to any type of register. Beuk only discloses that the TYPE field includes entries which indicate whether it is an acknowledgement or message. Therefore, Beuk fails to disclose or suggest generating of a request non-payload bit string corresponding to a pre-programmed packet request register, as recited in the claims.

For at least the reasons discussed above, and the reasons outlined in Applicant's Appeal Brief, Beuk does not disclose or suggest "generating a request non-payload bit string corresponding to a pre-programmed packet request register," as recited in claims 1, 14, and 28. Accordingly, Applicants respectfully request that the rejection of claims 1, 14, and 28 be withdrawn.

Claims 2, 4-13, 15-27, 29, and 31-38 are dependent upon claims 1, 14, and 28, respectively. As such, claims 2, 4-13, 15-27, 29, and 31-38 should be allowed for at least their dependence upon claims 1, 14, and 28, and for the specific limitations recited therein.

Claims 13 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Beuk in view of Meyer (U.S. Patent No. 6,611,495). The Office Action took the position that Beuk teaches all of the elements of claims 13 and 15, with the exception of the starting of a timer upon transmission of a packet request message and retransmitting the message if a predetermined period of time has passed. The Office Action then relies upon Meyer to cure the deficiency in Beuk. The rejection is respectfully traversed for the reasons which follow.

Beuk is discussed above. Meyer discloses a system and method for improved data transfer in packet-switched communication networks. A sender receives an acknowledgement message indicating that the intended recipient received a data packet, and a retransmission timer is initialized with a value that compensates for the time lag between the transmission of a data packet by the sender and the receipt of an acknowledgement message.

Claim 13 is dependent upon claim 1, and claim 15 is dependent upon claim 14. Applicants respectfully submit that Meyer fails to cure the deficiencies in Beuk with respect to claims 1 and 14, as discussed above. Therefore, claims 13 and 15 should be found allowable for at least their dependence upon claims 1 and 14, respectively, and for the specific limitations recited therein.

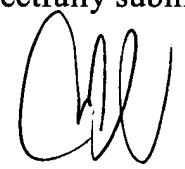
Applicants respectfully submit that Beuk and Meyer, whether taken alone or in combination, fail to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated

and unobvious. It is therefore respectfully requested that all of claims 1, 2, 4-29, and 31-38 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosure: Request for Continued Examination (RCE)